

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

---

**WESTFIELD INSURANCE COMPANY,**

**Plaintiff,**

**v.**

**Case No. 3:13-cv-00106  
JURY DEMAND**

**RLP PARTNERS, LLC and FIRST-CITIZENS  
BANK & TRUST**

**Defendants,**

**and**

**RLP PARTNERS, LLC,**

**Counter-Plaintiff,**

**v.**

**WESTFIELD INSURANCE COMPANY,**

**Counter-Defendant;**

**and**

**FIRST CITIZENS BANK & TRUST,**

**Counter-Plaintiff;**

**v.**

**WESTFIELD INSURANCE COMPANY,**

**Counter-Defendant.**

**STIPULATION OF DISMISSAL**

Pursuant to Rule 41(a)(1)(A)(ii) and (c), *Federal Rules of Civil Procedure*, come the parties to this action and voluntarily dismiss this civil action and Complaint, and Counter-claims

of Defendants RLP Partners LLC, and First Citizens Bank & Trust Company with full prejudice among, against and between all parties to this litigation in that all matters at issue in this litigation have been compromised and settled privately. Each party will bear its/their own costs.

**APPROVED FOR ENTRY:**

s/ Leslie T. Ridings  
Leslie T. Ridings (BPR#019621)  
Suzanne S. Cook (BPR# 017579)  
**HUNTER, SMITH & DAVIS, LLP**  
1212 N. Eastman Road  
P. O. Box 3740  
Kingsport, TN 37664  
(423) 378-8820; Fax: (423) 378-8801  
[lridings@hsdlaw.com](mailto:lridings@hsdlaw.com)  
Counsel for Plaintiff/Counter-Defendant, Westfield Insurance Company

s/ Brian Neal  
Brian Neal (BPR # 022532)  
Ronald G. Steen, Jr. (BPR #020536)  
STITES & HARBISON, PLLC  
SunTrust Plaza  
401 Commerce Street, Suite 800  
Nashville, TN 37219-2376  
(615) 244-5200  
[brian.neal@stites.com](mailto:brian.neal@stites.com)  
Counsel for Defendant/Counter-Plaintiff, First Citizens Bank  
& Trust Company

s/ J. Brandon McWherter  
J. Brandon McWherter (BPR #021600)  
Clinton H. Scott (BPR#023008)  
Gilbert Russell McWherter PLC  
101 N. Highland Ave.  
Jackson, TN 38301  
(731) 664-1340  
[bmcwherter@gilbertfirm.com](mailto:bmcwherter@gilbertfirm.com)  
Counsel for Defendant/Counter-Plaintiff, RLP Partners, LLC